

**FILED**

8-10-16  
04:59 PM

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF CALIFORNIA

Java City, Inc.,

Complainant,

C1608003

vs.

Pacific Gas and Electric Company (U39E),

Defendant.

Complaint  
(Rule 4.2)

COMPLAINANT	DEFENDANT
Java City, Inc. Attn: David Carter, CFO 1300 Del Paso Road Sacramento CA 95834 T-916-648-8876 Email: <a href="mailto:ap@javacity.com">ap@javacity.com</a>	Pacific Gas and Electric Company Attn: Mary A. Gandesbery, Esq. 77 Beale Street, B30A San Francisco CA 94105 T-415-973-0675 Email: <a href="mailto:magg@pge.com">magg@pge.com</a>

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

(A)

JAVA CITY INC.

COMPLAINANT(S)

vs.

(B)

PACIFIC GAS  
AND ELECTRIC

DEFENDANT(S)

(Include Utility "U-Number", if known)

(for Commission use only)

(C)

Have you tried to resolve this matter informally with the Commission's Consumer Affairs staff?

☒ YES

☐ NO

Has staff responded to your complaint?

☒ YES

☐ NO

Did you appeal to the Consumer Affairs Manager?

☐ YES

☒ NO

Do you have money on deposit with the Commission?

☐ YES

☒ NO

Amount \$

Is your service now disconnected?

☐ YES

☒ NO

COMPLAINT

(D)

The complaint of (Provide name, address and phone number for each complainant)

Name of Complainant(s)	Address	Daytime Phone Number
JAVA CITY	1300 DEL PASO RD.	916-648-8876
	SACRAMENTO, CA 95834	

respectfully shows that:

(E)

Defendant(s) (Provide name, address and phone number for each defendant)

Name of Defendant(s)	Address	Daytime Phone Number
PACIFIC GAS & ELECTRIC	177 BEALE STREET	415-973-1000
	SAN FRANCISCO, CA 94105	

**(F)**

Explain fully and clearly the details of your complaint. (Attach additional pages if necessary and any supporting documentation)

SEE ATTACHED  
DOCUMENT(S)

**(G) Scoping Memo Information (Rule 4.2(a))**

(1) The proposed category for the Complaint is (check one):

☒ adjudicatory (most complaints are adjudicatory unless they challenge the reasonableness of rates)

☐ ratesetting (check this box if your complaint challenges the reasonableness of a rates)

(2) Are hearings needed, (are there facts in dispute)? ☐ YES ☒ NO

(3) ☒ Regular Complaint ☐ Expedited Complaint

(4) The issues to be considered are (Example: The utility should refund the overbilled amount of \$78.00):

WE WOULD LIKE OUR DEPOSIT OF \$25,090.00  
RETURNED TO US, AS WE HAVE MORE THAN ESTABLISHED  
A STRONG HISTORY OF TIMELY PAYMENTS TO  
PG & E.

- (5) The proposed schedule for resolving the complaint within 12 months (if categorized as adjudicatory) or 18 months (if categorized as ratesetting) is as follows:

Prehearing Conference: Approximately 30 to 40 days from the date of filing of the Complaint.

Hearing: Approximately 50 to 70 days from the date of filing of the Complaint.

Prehearing Conference (Example: 6/1/09):	8/24/16
Hearing (Example: 7/1/09)	10/12/16

Explain here if you propose a schedule different from the above guidelines.

(H)

Wherefore, complainant(s) request(s) an order: State clearly the exact relief desired. (Attach additional pages if necessary)

THE RETURN OF JAVA CITY'S DEPOSIT OF  
\$25,090.00 ISSUED TO PG & E ON 3/21/13

(I)

**OPTIONAL:** I/we would like to receive the answer and other filings of the defendant(s) and information and notices from the Commission by electronic mail (e-mail). My/our e-mail address(es) is/are:

ap@javacity.com

(J)

Dated SACRAMENTO, California, this 19TH day of JULY, 2016  
(City) (date) (month) (year)

  
Signature of each complainant

(MUST ALSO SIGN VERIFICATION AND PRIVACY NOTICE)

**(K)****REPRESENTATIVE'S INFORMATION:**

Provide name, address, telephone number, e-mail address (if consents to notifications by e-mail), and signature of representative, if any.

<b>Name of Representative:</b>	
<b>Address:</b>	
<b>Telephone Number:</b>	
<b>E-mail:</b>	
<b>Signature</b>	

**VERIFICATION**  
(For Individual or Partnerships)

I am (one of) the complainant(s) in the above-entitled matter; the statements in the foregoing document are true of my knowledge, except as to matters which are therein stated on information and belief, and as to those matters, I believe them to be true.

I declare under penalty of perjury that the foregoing is true and correct.

(L)

Executed on \_\_\_\_\_, at \_\_\_\_\_, California  
(date) (City)

\_\_\_\_\_  
(Complainant Signature)

**VERIFICATION**  
(For a Corporation)

I am an officer of the complaining corporation herein, and am authorized to make this verification on its behalf. The statements in the foregoing document are true of my own knowledge, except as to the matters which are therein stated on information and belief, and as to those matters, I believe them to be true.

I declare under penalty of perjury that the foregoing is true and correct.

(M)

Executed on 7/19/16, at SACRAMENTO, California  
(date) (City)

[Signature]  
Signature of Officer

CFO  
Title

**(N) NUMBER OF COPIES NEEDED FOR FILING:**

If you are filing your formal complaint on paper, then submit one (1) original, six (6) copies, plus one (1) copy for each named defendant. For example, if your formal complaint has one defendant, then you must submit a total of eight (8) copies (Rule 4.2(b)).

If you are filing your formal complaint electronically (visit <http://www.cpuc.ca.gov/PUC/efiling> for additional details), then you are not required to mail paper copies.

(O) Mail paper copies to: California Public Utilities Commission  
Attn: Docket Office

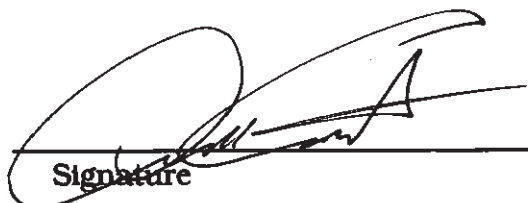
505 Van Ness Avenue, Room 2001  
San Francisco, CA 94102

### PRIVACY NOTICE


This message is to inform you that the Docket Office of the California Public Utilities Commission ("CPUC") intends to file the above-referenced Formal Complaint electronically instead of in paper form as it was submitted.

Please Note: Whether or not your Formal Complaint is filed in paper form or electronically, Formal Complaints filed with the CPUC become a public record and may be posted on the CPUC's website. Therefore, any information you provide in the Formal Complaint, including, but not limited to, your name, address, city, state, zip code, telephone number, E-mail address and the facts of your case may be available on-line for later public viewing.

Having been so advised, the Undersigned hereby consents to the filing of the referenced complaint.

  
\_\_\_\_\_  
Signature

7/19/16  
\_\_\_\_\_  
Date

  
\_\_\_\_\_  
Print your name

7/19/16

We had met PG&E's terms of timely payments to meet their requirements for the return of our deposit of \$25,090.00. We were then asked to furnish additional, audited documents, where the cost to produce them would outweigh the total deposit in question; and that as a global concern, we are not able to produce the documents necessary due to our corporate structure (We are a privately owned subsidiary of a foreign entity who only issues consolidated statements).

As for a surety bond or irrevocable letter of credit, those would come at an additional cost to us in terms of increased premiums or higher bank balance covenant; so they are not, as described, a "non-cash" option.

In our opinion, we have more than satisfied PG&E's needs to establish creditworthiness, including having been a customer for almost 30 years. We would like to see the return of our deposit as soon as possible.



Cl. #	Vendor Name	Cl. Amount	Invoice Date	Cl. Date	Invoice vs. Check	Cl. Date	Sent	Check vs. Sent	Sent	Cl. Cashed	Sent vs. Cashed
90627	PACIFIC GAS AND ELECTRIC	\$10,791.66	05/15/14	05/23/14	8	05/23/14	05/30/14	7	05/30/14	06/02/14	3
91027	PACIFIC GAS AND ELECTRIC	\$8,255.66	06/19/14	07/04/14	15	07/04/14	07/04/14	0	07/04/14	07/08/14	4
91250	PACIFIC GAS AND ELECTRIC	\$9,965.86	07/17/14	07/25/14	8	07/25/14	08/01/14	7	08/01/14	08/06/14	5
91603	PACIFIC GAS AND ELECTRIC	\$8,855.27	08/19/14	08/22/14	3	08/22/14	08/22/14	0	08/22/14	08/25/14	3
91877	PACIFIC GAS AND ELECTRIC	\$6,335.91	09/17/14	09/19/14	2	09/19/14	09/19/14	0	09/19/14	09/23/14	4
92244	PACIFIC GAS AND ELECTRIC	\$8,491.06	10/16/14	10/24/14	8	10/24/14	10/24/14	0	10/24/14	10/28/14	4
92480	PACIFIC GAS AND ELECTRIC	\$7,041.16	11/14/14	11/17/14	3	11/17/14	11/17/14	0	11/17/14	11/25/14	8
92972	PACIFIC GAS AND ELECTRIC	\$9,765.28	12/17/14	01/05/15	19	01/05/15	01/05/15	0	01/05/15	01/08/15	3
93176	PACIFIC GAS AND ELECTRIC	\$10,322.09	01/15/15	01/23/15	8	01/23/15	01/23/15	0	01/23/15	01/28/15	5
93441	PACIFIC GAS AND ELECTRIC	\$9,649.31	02/17/15	02/20/15	3	02/20/15	02/20/15	0	02/20/15	02/24/15	4
93833	PACIFIC GAS AND ELECTRIC	\$8,694.34	03/18/15	03/27/15	9	03/27/15	03/27/15	0	03/27/15	04/01/15	5
94122	PACIFIC GAS AND ELECTRIC	\$7,475.15	04/16/15	04/24/15	8	04/24/15	04/24/15	0	04/24/15	04/28/15	4
94425	PACIFIC GAS AND ELECTRIC	\$6,834.44	05/18/15	05/22/15	4	05/22/15	05/22/15	0	05/22/15	05/26/15	4
94767	PACIFIC GAS AND ELECTRIC	\$6,571.00	06/18/15	06/26/15	8	06/26/15	06/26/15	0	06/26/15	07/01/15	5
95022	PACIFIC GAS AND ELECTRIC	\$4,826.49	07/24/15	07/24/15	0	07/24/15	07/24/15	0	07/24/15	07/28/15	4
95368	PACIFIC GAS AND ELECTRIC	\$5,915.85	08/17/15	08/28/15	11	08/28/15	08/28/15	0	08/28/15	09/01/15	4
95643	PACIFIC GAS AND ELECTRIC	\$7,084.65	09/16/15	09/25/15	9	09/25/15	09/25/15	0	09/25/15	09/28/15	3
95956	PACIFIC GAS AND ELECTRIC	\$7,468.52	10/15/15	10/23/15	8	10/23/15	10/23/15	0	10/23/15	10/26/15	3
96265	PACIFIC GAS AND ELECTRIC	\$6,852.10	11/18/15	11/24/15	6	11/24/15	11/25/15	1	11/25/15	11/30/15	5
96416	PACIFIC GAS AND ELECTRIC	\$10,256.75	12/17/15	01/04/16	18	01/04/16	01/04/16	0	01/04/16	01/07/16	3
96816	PACIFIC GAS AND ELECTRIC	\$8,617.18	01/14/16	01/22/16	8	01/22/16	01/22/16	0	01/22/16	01/27/16	5
97066	PACIFIC GAS AND ELECTRIC	\$10,664.52	02/16/16	02/19/16	3	02/19/16	02/19/16	0	02/19/16	02/26/16	7
97408	PACIFIC GAS AND ELECTRIC	\$7,585.80	03/16/16	03/25/16	9	03/25/16	03/25/16	0	03/25/16	03/30/16	5
97690	PACIFIC GAS AND ELECTRIC	\$7,234.17	04/14/16	04/22/16	8	04/22/16	04/22/16	0	04/22/16	04/27/16	5
97980	PACIFIC GAS AND ELECTRIC	\$6,087.98	05/16/16	05/20/16	4	05/20/16	05/20/16	0	05/20/16	05/23/16	3
98298	PACIFIC GAS AND ELECTRIC	\$5,493.51	06/16/16	06/24/16	8	06/24/16	06/24/16	0	06/24/16	06/29/16	5
Average Turnaround										4.35	12.54
										Average Total Time	
										0.58	